

Application Serial No: 09/821,584

REMARKS

This Amendment is in response to the Final Office Action dated April 29, 2005 ("FOA"). In the Final Office Action, claim 18 was rejected under 35 USC §102 and claims 1-6, 9-17, 19 and 21-29 were rejected under 35 USC §103. By this Amendment, claims 1-6, 9-19 and 21-29 are canceled, and claims 30-38 are added. Claims 30-38 are believed allowable, with claim 30 being an independent claim.

OBJECTIONS:

The objections to the specification and drawings are moot in light of claims 2, 6, 8, 11, 20, 22, 24-26 canceled by this Amendment.

CLAIM REJECTIONS:

The rejection of claims 1-6, 9-19 and 21-29 are moot in light of claims 1-6, 9-19 and 21-29 canceled by this Amendment.

NEW CLAIMS:

Claim 30-38 are added by this Amendment. No new matter is believed introduced to the Application by these claims. Furthermore, claims 30-38 are believed allowable.

Claim 30 recites, in part, "an activation token identifying system characteristics and specifying a threat level and at least one preset activation measure." The cited references, either alone or in combination, do not teach or suggest this claim element.

For example, Wollrath's system is one in which: a) the properties of the various objects are known to the subsystem that transmits activation tokens; and b) the danger of revealing properties of the objects to a third party is not a concern. In particular, the first subsystem must know the address of the object's activator, which is unique to each system.

This requirement distinguishes Wollrath's teachings from that required by claim 30, in which security is the purpose of the activity, so that the provider transmits at least two sets of parameters to its customers without an indication being transmitted to tell the customer which data to use (i.e., naming characteristics does not include the identity of customer subsystems having a particular set of characteristics).

Norton teaches an updating system that is not concerned with system characteristics (i.e., modifying the system code), but rather supplies data

Application Serial No: 09/821,584

to a data file. Norton deals with updating data, which is not thought of as a system characteristic.

Claims 31-38 are dependent on and further limit claim 30. Since claim 30 is believed allowable, claims 31-38 are also believed allowable for at least the same reasons as claim 30.

CONCLUSION

In view of the forgoing remarks, it is respectfully submitted that this case is now in condition for allowance and such action is respectfully requested. If any points remain at issue that the Examiner feels could best be resolved by a telephone interview, the Examiner is urged to contact the attorney below.

No fee is believed due with this Amendment, however, should such a fee be required please charge Deposit Account 50-0510 the required fee. Should any extensions of time be required, please consider this a petition thereof and charge Deposit Account 50-0510 the required fee.

Respectfully submitted,



Dated: April 22, 2006

Ido Tuchman, Reg. No. 45,924
Law Office of Ido Tuchman
69-60 108th Street, Suite 503
Forest Hills, NY 11375
Telephone (718) 544-1110
Facsimile (718) 544-8588